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July 14, 2004

## Via Express Mail

Mail Stop Fee Amendment

United States Patent and Trademark Office

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

**RE: APPLICATION OF GAYLE ROSENBERG AND ELI S. PINE**

**Serial No.: 10/760, 165**

**Grout Art Unit: 3724**

**Filed: JANUARY 20, 2004 Examiner: DOUGLAS D. WATTS**

**Title: EXPANDABLE KNIFE HOLDER**

Dear Sir:

Enclosed herewith please find applicant's amendment and responding argument to the examiner's Office action dated June 21, 2004. Applicant has increased the number of independent claims to nine and accordingly submits an additional fee of \$258.00.

Also enclosed is an appointment duly executed by the inventors, appointing the firm of Herten, Burstein, Sheridan, Cevasco, Bottinelli, Litt, Toskos & Harz, L.L.C. and the undersigned as attorneys to prosecute the application and transact all business in the U.S. Patent and Trademark Office regarding the above application.

Also enclosed please find a Certificate of Mailing as well as a self-addressed stamped postcard which we request you date stamp upon receipt of the enclosures and return to the undersigned as soon as possible.

United States Patent and Trademark Office  
July 14 2004  
Page 2

We look forward to your prompt attention to the above.

Very truly yours,

**HERTEN, BURSTEIN, SHERIDAN, CEVASCO,  
BOTTINELLI, LITT, TOSKOS & HARZ, L.L.C.**

By: 

ARNOLD D. LITT, ESQ.

ADL:kw

Enclosure

cc: Gayle Rosenberg

Eli S. Pine

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7-16-04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: GAYLE ROSENBERG AND ELI S. PINE

Serial No.: 10/760, 165

Grout Art Unit: 3724

Filed: JANUARY 20, 2004

Examiner: DOUGLAS D. WATTS

Title: EXPANDABLE KNIFE HOLDER

**AMENDMENT**

Mail Stop Fee Amendment  
Commissioner of Patents  
And Trademarks  
Fee Amendment  
Washington, D.C. 20231

Sir:

**PRELIMINARY REMARKS**

In response to the outstanding Office action with a mailing date of June 21, 2004, the applicant thanks the Examiner for indicating allowable subject matter in claims 6-12 and 14 which, if rewritten in independent form, including all of the limitations of the base claim (claim 1) and any intervening claims, would be allowable. Part of this Amendment satisfies the Examiner's objection and allowance of those claims is herewith requested. As to the remaining claims in the case, applicant presents argument to distinguish those claims from the teachings of Kermit E. Meehan, and based on those arguments, reconsideration and allowance of the pending claims is requested:

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~~Adjustment date: 07/22/2004 DENMANU1~~

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07/22/2004 DENMANU1 00000001 10760165

01 FC:2201

258.00 0P



SERIAL NUMBER: 10/760,165  
APPLICANT: GAYLE ROSENBERG  
ELI S. PINE  
TITLE: EXPANDABLE KNIFE  
HOLDER  
MAILING DATE: July 15, 2004

### CERTIFICATE OF MAILING UNDER 37 CFR 1.8

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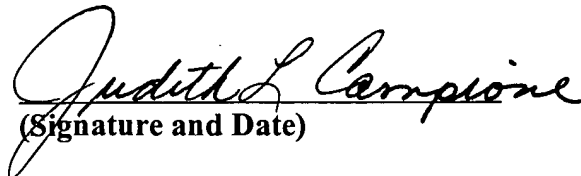
Date of Deposit : JULY 15, 2004

I hereby certify that the following is being deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to: MAIL STOP FEE AMENDMENT UNITED STATES PATENT AND TRADEMARK OFFICE, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450.

1. Amendment
2. Letter to Commissioner of Patents and Trademarks
3. Certificate of Mailing
4. Self-addresses, stamped post card
5. Appointment of Counsel

JUDITH L. CAMPIONE

Type or Printed name of person  
mailing paper

  
(Signature and Date)